

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**BEATRICE BRAXTON,**

Plaintiff,

v.

**DEUTSCHE BANK NATIONAL  
TRUST CO. *et al*,**

Defendants.

\*

\*

\*

\*

\*

\*

\*

\*

\*

\*

\*

Case No.: RWT 11-cv-815

**ORDER**

On April 4, 2011, Defendants filed a Motion to Dismiss Plaintiff Beatrice Braxton's Complaint. (ECF No. 9) On May 31, 2011, Plaintiff's counsel of record, Esthus Christopher Amos, filed a Motion for Extension of Time on the basis that the "Glenmore Law Firm has not had adequate time to prepare a proper response to Defendants' Motion to Dismiss." (ECF No. 19) The Defendants opposed the extension. (ECF No. 21) On July 13, 2011, this Court granted Plaintiff's motion, ordering Plaintiff to respond by August 5, 2011 and indicating that no further extensions would be provided. (ECF No. 22) No response to the motion to dismiss was filed on or before August 5, 2011 as the Court had directed.

During August and early September 2011, the Law Clerks to the undersigned made repeated attempts to reach Mr. Amos and ascertain his reason for failing to file a response. On September 21, 2011, the Law Clerk finally spoke with Mr. Amos who stated that he was no longer with the Glenmore Law Firm and "no longer represented" the Plaintiff. Consequently, on September 23, 2011, this Court issued an Order directing Mr. Amos to file a status report within 7 days providing information as to the Glenmore Law Firm, as well as any steps Mr. Amos had taken to protect Plaintiff's interests. (ECF No. 24) Mr. Amos did not submit a status report as directed.

On October 17, 2011, this Court issued an Order to Show Cause, directing Mr. Amos to appear personally before this Court and show cause why he should not be held in contempt of court for failure to comply with this Court's Order of September 23, 2011. (ECF No. 26) At the Show Cause hearing held on October 31, 2011, the Court reminded Mr. Amos that he had entered an appearance in this case on behalf of the Plaintiff, and had an obligation to represent her interests. Mr. Amos was advised that if he wished to be excused from representing his client, he must seek and obtain permission from the Court.

On November 2, 2011, Mr. Amos finally filed a status report. (ECF No. 29) His report concluded with the following:

I offered to file a response to the outstanding Motion to Dismiss on her behalf. She told me that she wanted this done. I am working on this response now, and plan to withdraw my appearance after the Motion is ruled on.

*See* ECF No. 28 at 2. Mr. Amos, however, has still not filed a response to Defendants' Motion to Dismiss (ECF No. 9) even though he remains the attorney of record for Plaintiff.

This Court does not have endless patience. The Court having reviewed the Complaint concludes that it fails to state a claim upon which relief can be granted for the reasons set forth in Defendants' Motion to Dismiss. Accordingly, it is, this 24<sup>th</sup> day of January, 2012, by the United States District Court for the District of Maryland,

**ORDERED**, that Defendants' Motion to Dismiss Plaintiff Beatrice Braxton's Complaint (ECF No. 9) is hereby **GRANTED**; and it is further

**ORDERED**, that judgment for costs be entered in favor of the Defendants; and it is further

**ORDERED**, that the Clerk is directed to **CLOSE** the case.

\_\_\_\_\_  
/s/  
ROGER W. TITUS  
UNITED STATES DISTRICT JUDGE